

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Alfred J. Ferraro  
Kristin E. Ferraro  
aka Kristen E. Ferraro**  
Debtor(s)

Bankruptcy Case No.: 16-21105-GLT  
Issued Per 1/21/21 Proceeding  
Chapter: 13  
Docket No.: 106 – 96, 105  
Concil. Conf.: January 21, 2021 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 7, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☒ B. The length of the Plan is increased to a total of 74 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jan. 21, 2021 at 09:00 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 8 of Deutsche Bank with payment changes implemented .
- ☒ H. Additional Terms: A Fee Application is needed if any fee (including retainer) exceeds \$4,000.00 including any fees paid to prior counsel.

No further payments to Wesbanco Claim No. 3 as collateral totalled, but prior payments are ratified and proper.

The Trustee's Certificate of Default [Dkt. No. 96] is resolved by this confirmation order.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

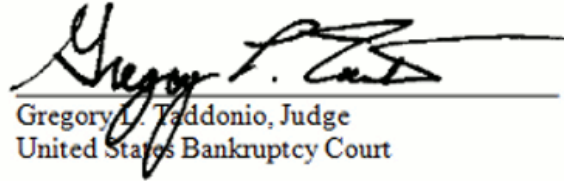
**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge  
United States Bankruptcy Court

Dated: January 22, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:  
Alfred J. Ferraro  
Kristin E. Ferraro  
Debtors

Case No. 16-21105-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Jan 22, 2021

User: dbas  
Form ID: 149

Page 1 of 3  
Total Noticed: 23

The following symbols are used throughout this certificate:

| Symbol | Definition   |
|--------|--|
| +      | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 24, 2021:

| Recip ID | Recipient Name and Address  |
|----------|---|
| db/jdb   | + Alfred J. Ferraro, Kristin E. Ferraro, 305 St Mary's Road, Latrobe, PA 15650-1324   |
| cr       | + DEUTSCHE BANK NATIONAL TRUST COMPANY, 14841 DALLAS PKWY SUITE 425, DALLAS, TX 75254-8067  |
| cr       | + DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE, 8742 Lucent Blvd, Suite 300, Highlands Ranch, CO 80129-2386   |
| cr       | + Peoples Natural Gas Company, LLC, Attn: Dawn Lindner, 225 North Shore Drive, Pittsburgh, PA 15212-5860  |
| cr       | + Wells Fargo Bank, N.A./Wells Fargo Home Mortgage, MAC X7801-014, 3476 Stateview Blvd., Fort Mill, SC 29715-7203   |
| 14202244 | + Citibank / Sears, Citicorp Credit Services/Attn: Centraliz, Po Box 790040, Saint Louis, MO 63179-0040   |
| 14202245 | + Citibank / Sears, Citicorp Credit Services/Centralized Ban, Po Box 790040, Saint Louis, MO 63179-0040   |
| 14271503 | DEUTSCHE BANK NATIONAL TRUST COMPANY, ET AL, WELLS FARGO BANK, N.A., DEFAULT DOCUMENT PROCESSING, N9286-01Y, 1000 BLUE GENTIAN ROAD EAGAN, MN 55121-7700              |
| 14202247 | + Deutsche Bank National Trust Company, as, Trustee for HSI Asset Securitization Corp, c/o Wells Fargo Bank, N.A., 3476 Stateview Boulevard, Fort Mill, SC 29715-7203 |
| 14202248 | + Greater Latrobe Teacher's Credit Union, 113 East Main Street, New Alexandria, PA 15670-3116   |
| 14969675 | + Specialized Loan Servicing LLC, 6200 S. Quebec Street, Greenwood Village, CO 80111-4720   |
| 14202253 | + Veripro Solutions, Inc., P.O. Box 3572, Coppel, TX 75019-5538   |

TOTAL: 12

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address                         | Date/Time            | Recipient Name and Address  |
|----------|--|----------------------|---|
| cr       | Email/PDF: rmscedi@recoverycorp.com                | Jan 23 2021 03:36:19 | Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120, Miami, FL 33131-1605          |
| 14227058 | Email/Text: Bankruptcy.RI@Citizensbank.com         | Jan 23 2021 03:18:00 | Citizens Bank N.A., 1 Citizens Drive Mailstop ROP15B, Riverside, RI 02915                                 |
| 14226479 | Email/PDF: AIS.cocard.ebn@americaninfosource.com   | Jan 23 2021 03:47:35 | Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083                                      |
| 14202243 | + Email/PDF: AIS.cocard.ebn@americaninfosource.com | Jan 23 2021 03:47:35 | Capital One Bank, N.A., Attn: Bankruptcy, P.O. Box 30285, Salt Lake City, UT 84130-0285                   |
| 14202246 | + Email/Text: Bankruptcy.RI@Citizensbank.com       | Jan 23 2021 03:18:00 | Citizen's Bank Auto Finance, Attn: Bankruptcy, 443 Jefferson Boulevard MS RJW-135, Warwick, RI 02886-1321 |
| 14236488 | + Email/Text: bankruptcydpt@mcmcg.com              | Jan 23 2021 03:18:00 | MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011   |
| 14207378 | Email/PDF: rmscedi@recoverycorp.com                | Jan 23 2021 03:47:49 | Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605             |
| 14202250 | + Email/PDF: gecsed@recoverycorp.com               | Jan 23 2021 03:47:29 | Synchrony Bank/Amazon, Attn: Bankruptcy, P.O. Box 103104, Roswell, GA 30076-9104                          |
| 14202251 | + Email/PDF: gecsed@recoverycorp.com               | Jan 23 2021 03:35:54 | Synchrony Bank/Lowes, Attn: Bankruptcy, P.O. Box 103104, Roswell, GA 30076-9104                           |
| 14202252 | + Email/PDF: gecsed@recoverycorp.com               | Jan 23 2021 03:35:52 | Synchrony Bank/Walmart, Attn: Bankruptcy, P.O. Box 103104, Roswell, GA 30076-9104                         |

District/off: 0315-2

User: dbas

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Date Rcvd: Jan 22, 2021

Form ID: 149

Total Noticed: 23

14202254 + Email/Text: bankrupt-adjdept@wesbanco.com

Jan 23 2021 03:19:00

Wesbanco Bank, Inc., 1 Bank Plaza, Wheeling,  
WV 26003-3565

TOTAL: 11

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

| Recip ID | Bypass Reason | Name and Address   |
|----------|---------------|--|
| cr       |               | Deutsche Bank National Trust Company, As Trustee F   |
| cr       |               | Deutsche Bank National Trust Company, as Trustee E   |
| 14202249 |               | Northwest Consumer Discount Company  |
| cr       | *+            | DEUTSCHE BANK NATIONAL TRUST COMPANY, 14841 Dallas Parkway, Suite 425, Dallas, TX 75254-8067 |
| cr       | *+            | DEUTSCHE BANK NATIONAL TRUST COMPANY, 14841 Dallas Pkwy Suite 425, Dallas, TX 75254-8067     |
| cr       | *+            | Deutsche Bank National Trust Company, 14841 Dallas Parkway Suite 425, Dallas, TX 75254-8067  |
| cr       | *+            | WesBanco Bank Inc, 1 Bank Plaza, Wheeling, WV 26003-3565                                     |

TOTAL: 3 Undeliverable, 4 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 24, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 22, 2021 at the address(es) listed below:

| Name                                | Email Address  |
|-------------------------------------|--|
| Brian Nicholas                      | on behalf of Creditor DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE bnicholas@kmlawgroup.com   |
| Brian Nicholas                      | on behalf of Creditor Deutsche Bank National Trust Company as Trustee Et Al... bnicholas@kmlawgroup.com  |
| Jeffrey S. Golembiewski             | on behalf of Plaintiff Alfred J. Ferraro jgolembiewski@yahoo.com denisegole@yahoo.com  |
| Jeffrey S. Golembiewski             | on behalf of Plaintiff Kristin E Ferraro jgolembiewski@yahoo.com denisegole@yahoo.com  |
| Jerome B. Blank                     | on behalf of Creditor Deutsche Bank National Trust Company As Trustee For etal pawb@fedphe.com   |
| Justin P. Schantz                   | on behalf of Debtor Alfred J. Ferraro jschantz@my-lawyers.us<br>colecchia542@comcast.net;office@my-lawyers.us;sshiple@my-lawyers.us;jmonroe@my-lawyers.us;rjuliano@my-lawyers.us;e<br>kudlock@my-lawyers.us        |
| Justin P. Schantz                   | on behalf of Joint Debtor Kristin E. Ferraro jschantz@my-lawyers.us<br>colecchia542@comcast.net;office@my-lawyers.us;sshiple@my-lawyers.us;jmonroe@my-lawyers.us;rjuliano@my-lawyers.us;e<br>kudlock@my-lawyers.us |
| Office of the United States Trustee | ustpregion03.pi.ecf@usdoj.gov  |

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Ronda J. Winnecour

cmechf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com, PNGbankruptcy@peoples-gas.com

Thomas Song

on behalf of Creditor DEUTSCHE BANK NATIONAL TRUST COMPANY pawb@fedphe.com

Thomas Song

on behalf of Creditor Deutsche Bank National Trust Company As Trustee For etal pawb@fedphe.com

TOTAL: 12